

# FINAL BILL REPORT

## SHB 2223

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Synopsis as Enacted

**Brief Description:** Exempting applicants who operate commercial motor vehicles for agribusiness purposes from certain commercial driver's license requirements.

**Sponsors:** House Committee on Transportation (originally sponsored by Representatives Clibborn, Johnson and Morrell).

**House Committee on Transportation**  
**Senate Committee on Transportation**

### **Background:**

The operation of commercial motor vehicles is regulated under both state and federal law. In order to operate a commercial motor vehicle in Washington, a person generally must hold a commercial driver's license with the applicable endorsements for the vehicle he or she is driving. However, this requirement does not apply to the following persons:

- a firefighter or law enforcement officer operating emergency equipment who has completed an approved driver training course;
- the operator of a recreational vehicle used for noncommercial purposes; or
- the operator of a farm vehicle controlled and operated by a farmer. The vehicle itself must also be used to transport agricultural products, farm machinery, or farm supplies to or from a farm. Finally, the vehicle may not be used in the operations of a common or contract motor carrier, and it must be used within 150 miles of the person's farm.

To receive a commercial driver's license from Washington, an applicant must be a resident of the state, pass knowledge and skills tests that comply with minimum federal standards, and successfully complete a course of instruction in the operation of a commercial motor vehicle that has been approved by the Director of the Department of Licensing (DOL) or be certified by an employer as having the skills and training necessary to safely operate a commercial motor vehicle.

The DOL may waive the requirement for instruction in the operation of a commercial motor vehicle for an applicant that has been issued a valid commercial driver's license in another state and is transferring to Washington.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary:**

Applicants for a commercial driver's license who operate a commercial motor vehicle for agribusiness purposes are exempted from the requirement to either successfully complete a course of instruction in the operation of a commercial motor vehicle that has been approved by the Director of the DOL or be certified by an employer as having the skills and training necessary to safely operate a commercial motor vehicle in order to obtain a commercial driver's license. The exemption expires July 1, 2011.

Agribusiness is defined for purposes of this exemption as a private carrier who in the normal course of business primarily transports:

- farm machinery, farm equipment, and other materials used in farming;
- agricultural inputs such as seeds, feed, fertilizers, and crop protection products; or
- unprocessed agricultural commodities, which are defined as plants or parts of plants, animals, or animal products, produced by farmers, ranchers, vineyardists, or orchardists.

A private carrier is defined in statute as a person who transports by his or her own motor vehicle, with or without compensation, property which is owned or is being bought or sold by the person, or property where the person is the seller, purchaser, lessee, or bailee and the transportation is incidental to and in furtherance of some other primary business conducted by the person in good faith.

The Department of Licensing is required to report to the transportation committees of the Legislature by January 1, 2010, with recommendations regarding the continuation of the exemption created by the act.

**Votes on Final Passage:**

House	95	1	
Senate	46	0	(Senate amended)
House	94	1	(House concurred)

**Effective:** July 26, 2009